

PA-IDC

QUERY CONTROL FORM				RTIS USE ONLY	
Application No.	09/507,968	Prepared by	NPB	Tracking Number	05905914
Examiner-GAU	Kemmerer-1649	Date	8/21/04	Week Date	02/16/04
		No. of queries	3	IFW (E)	

JACKET

a. Serial No.	f. Foreign Priority	k. Print Claim(s)	p. PTO-1449
b. Applicant(s)	g. Disclaimer	l. Print Fig.	q. PTOL-85b
c. Continuing Data	h. Microfiche Appendix	m. Searched Column	r. Abstract
d. PCT	i. Title	n. PTO-270/328	s. Sheets/Figs
e. Domestic Priority	j. Claims Allowed	o. PTO-892	t. Other

SPECIFICATION a. Page Missing b. Text Continuity c. Holes through Data d. Other Missing Text e. Illegible Text f. Duplicate Text g. Brief Description h. Sequence Listing i. Appendix j. Amendments k. Other	MESSAGE		
	(1) Original claim 343 (now claim 198) depends from a canceled original claim 342. Please advise/correct claim dependency.		
	(2) Original claim 310 (now claim 198) is shown as allowed in the index of claim, but not shown as allowed in NOA (Notice of Allowability). Please verify if claim 310 is allowed. If so, please supply new NOA showing original claim 310 as allowed.		
	(3) Original claim 430 (now claim 129 in the index of claim) is shown as allowed in NOA and index, but missing from specification. Please advise/supply.		
	CLAIMS		
	a. Claim(s) Missing b. Improper Dependency c. Duplicate Numbers d. Incorrect Numbering e. Index Disagrees		
	f. Punctuation g. Amendments h. Bracketing i. Missing Text j. Duplicate Text k. Other		
	RESPONSE		
	initials <i>Thompson</i>		
	initials <i>atk</i>		

192 *191*
326. The protein of claim *325* wherein said label is a radiolabel selected from the group consisting of:

- (a) ^{131}I ;
- (b) ^{125}I ;
- (c) ^{121}I ;
- (d) ^{112}In ; and
- (e) $^{99\text{m}}\text{Tc}$.

193 *188*
327. The protein of claim *324* wherein the protein is cytotoxic to Neutrokinin- α receptor bearing cells.

194 *188*
328. The protein of claim *324* bound to a solid support.

195 *188*
329. A composition comprising the protein of claim *324* and a carrier.

196 *188*
340. A protein produced by a method comprising:

- (a) expressing the protein of claim *324* by a cell; and
- (b) recovering the protein.

197
341. (Amended) An isolated protein comprising an amino acid sequence of at least 30 contiguous amino acid residues of the polypeptide encoded by the cDNA clone contained in ATCC Deposit Number 97768 wherein said protein modulates leukocyte proliferation, differentiation or survival.

342 (Cancelled)

198
343. The protein of claim 342 which comprises an amino acid sequence of at least 50 contiguous amino acid residues of the polypeptide encoded by the cDNA clone contained in ATCC Deposit Number 97768.

344. The protein of claim 341 wherein the protein modulates leukocyte proliferation.

174

304. The protein of claim 290 bound to a solid support.

175

305. A composition comprising the protein of claim 290 and a carrier.

176

306. A protein produced by a method comprising:

- (a) expressing the protein of claim 290 by a cell; and
- (b) recovering the protein.

177

307. (Amended) An isolated protein consisting of a first amino acid sequence that is 95% or more identical to a second amino acid sequence consisting of the amino acid sequence of an amino-terminal deletion protein mutant of the full-length protein encoded by the cDNA clone contained in ATCC Deposit Number 97768, wherein said amino-terminal deletion protein mutant excludes up to 133 amino acid residues from the amino terminus of said full-length protein encoded by the cDNA clone contained in ATCC Deposit Number 97768, and wherein said protein modulates leukocyte proliferation, differentiation or survival.

308. The protein of claim 307 wherein the protein modulates leukocyte proliferation.

309.

The protein of claim 308 wherein the leukocyte is a lymphocyte.

178

310. The protein of claim 307 wherein the protein stimulates leukocyte proliferation.

179

311.

The protein of claim 310 wherein the leukocyte is a lymphocyte.

312. The protein of claim 307 wherein the protein modulates leukocyte differentiation.

313.

The protein of claim 312 wherein the leukocyte is a lymphocyte.

*Not shown
as allowed
in NOA.
please verify.*

218

424. A Neutrokin-alpha multimer comprising the protein of claim 124.

70

219

425. A Neutrokin-alpha multimer comprising the protein of claim 142.

82

220

426. A Neutrokin-alpha multimer comprising the protein of claim 160.

94

221

427. A Neutrokin-alpha multimer comprising the protein of claim 178.

106

222

428. A Neutrokin-alpha multimer comprising the protein of claim 290.

166

223

429. A Neutrokin-alpha multimer comprising the protein of claim 307.

171

430. missing

Claim	Date
141	8/30/03
142	8/30/03
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original
claim 310
not
allowed
M
NOA

Claim	Date
171	8/30/03
172	8/30/03
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claim 430
missing
from
specification

Claim	Count	Value
214	1	8
215	10	23
216	63	15
217	400	✓
218	151	
219	153	
220	155	
221	156	
222	157	
223	158	
224	159	
225	160	=
226	161	
227	162	
228	163	
229	164	=
230	165	
231	166	
232	167	
233	168	
234	169	
235	170	
236	171	
237	172	
238	173	
239	174	=
240	175	
241	176	
242	177	
243	178	
244	179	✓
245	180	=
246	181	
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263	198	
264	199	
265	200	

Notice of Allowability	Application No.	Applicant(s)	
	09/507,968	YU ET AL.	
	Examiner Bridget E. Bunner	Art Unit 1647	

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment of 16 July 2003.
2. The allowed claim(s) is/are 26-29, 31-41, 44-45, 48-61, 70-81, 83-86, 89, 93, 95-107, 116-125, 128, 132, 134-143, 146, 150, 152-161, 164, 168, 170-180, 186, 188-196, 205-213, 215, 225-231, 247-251, 260-273, 276, 280 and 282-290, 293, 297, 299-307, 314, 316-324, 333-341, 343, 352-359, 362, 366, 370, 374, 378, 382, 386, 390, 406, 410, 414, 424-430.
3. The drawings filed on 14 August 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) The translation of the foreign language provisional application has been received.
6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. CORRECTED DRAWINGS must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No. _____.
 - (b) Including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

<input type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.
<input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. <u>25</u> .	<input checked="" type="checkbox"/> Examiner's Amendment/Comment
<input checked="" type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	<input type="checkbox"/> Examiner's Statement of Reasons for Allowance
	<input type="checkbox"/> Other

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